

REMARKS

Receipt of the Office Action of October 25, 2006 is gratefully acknowledged.

Claims 13 - 24 were presented for examination. These claims have been rejected as follows: claims 13 - 22 and 24 as anticipated under 35 USC 102(e) by Fleckner et al; and claim 23 as unpatentable under 35 USC 103(a) over Fleckner et al in view of Welches et al

These rejections have been carefully considered and do not, in applicant's opinion, either anticipate or render obvious the invention in claims 13 - 24. Accordingly, these rejections are respectfully traversed.

After carefully studying Fleckner et al (US-A 2004/0086768) at page 6, [0099] in connection with page 7, [0111] it should be clear that, contrary to the present invention, in the apparatus of Fleckner et al the sensor, and thus the measuring device as such, is situated directly in the fuel cell, or attached to the fuel cell. According to the present invention, the field device is disposed apart from fuel cell. As a result, it is now possible to provide a field device installed in a dangerous area by means of a fuel cell, which may be installed in non-dangerous area. Further, it is possible to use centralized packaging of fuel cells for supplying multiple field devices, instead of separate fuel cells for each of the multiple field devices. None of this is noted in Fleckner et al, and in fact, it is respectfully submitted that none of the prior art of record. Including the art cited on page 2 of the application teach or suggest the use of fuel cells installed remotely from one ore more field device to supply one or more field devices with electrical energy.

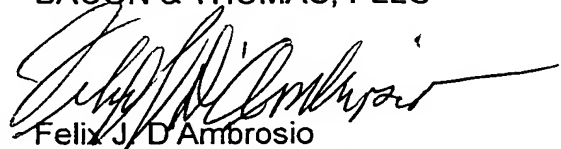
Note that in claim 13, the fuel cell is arranged remotely from the field device. This alone precludes the application of 35 USC 102. As to 35 USC 103, neither Fleckner et al nor Welches et al suggest the remote arrangement. Accordingly, claims 13 - 24 are considered to patentably distinguish over the art of record.

Claims 13, 14, 16, 17 and 19 have been amended formally, and new claims 25 - 35 added to complete the defined scope of the invention when considering the art of record.

The title of the invention has been corrected and the abstract amended. Also, replacement sheets of drawings for Figs. 1 and 2.

In view of the foregoing, reconsideration and re-examination are respectfully requested and claims 13 - 35 allowed.

Respectfully submitted,
BACON & THOMAS, PLLC



Felix J. D. Ambrosio
Registration No: 25,721

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Customer Number *23364*
BACON & THOMAS
625 Slaters Lane, Fourth Floor
Alexandria, Virginia 22314
Phone: (703) 683-0500

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